Applicant's response of 12/3/07 has been entered. The examiner will address applicant's arguments at the end of this office action.

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fulcher et al. (6505774) in view of Ilen (WO 96/11453).

For claims 22,24, Fulcher discloses an automated parking fee collection and parking ticket dispensing system. Fulcher discloses a parking machine 2 that is in communication with a parking server (offsite computer 512). It is disclosed that information in the form of data and program files is communicated between the server and the ticket machine. See column 19, lines 16-19, lines 51-54; column 23, lines 1-12, lines 23-30. See column 19, lines 20-29 for the disclosure of having the customer input information concerning the parking location (spot number), and the amount of parking time that the space will be used. The parking machine is disclosed as calculating the parking fee and providing tickets to the customers, which are then supposed to be placed inside their vehicle so that it can be visually inspected (see column 17, line 65 to column 18, line 1; 18, lines 34-37; column 19, lines 28-33).

Not disclosed is the use of a mobile phone as claimed. Also not disclosed is that

the parking tickets have information concerning the parking time. Also not disclosed is that the identification of the parking machine is entered by the motorist.

Ilen discloses a method and system where a user can pay for parking fees by using their mobile phone. The mobile phone is used to send data to a central computer (parking server) so that the parking fee can be paid for. The user is disclosed as using the phone to submit information such as parking location and parking time (see page 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the system of Fulcher with the ability to take parking data and payment data by phone as disclosed by Ilen, so that the user has a convenient and easy way to pay for parking. This would then result in data being sent by phone to the server 512, and then to the parking machine 2 so that a parking ticket can be printed for the motorist to place inside their vehicle.

With respect to the parking tickets having the desired period of parking, in view of the fact that a parking ticket is disclosed as being given to the motorist to be placed in their vehicle, and knowing that the parking tickets normally contain information concerning the parking transaction (cost, date, identification of item/service purchased, etc.), it would have been obvious to one of ordinary skill in the art at the invention was made to provide the parking tickets with desired period of parking, so that the user has an accurate parking ticket. One of ordinary skill in the art would have found it obvious to put the parking period on the receipt.

With respect to the motorist entering the identification of the parking ticket machine, the examiner notes that Fulcher discloses that the motorist identifies the

vehicle space they are parking in. Fulcher recognizes the importance of having the motorist provide some kind of identifying data that indicates where their vehicle is parked. In view of this teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist identify the parking ticket machine they are parked at, which at the same time may also identify the parking space, so that the parking management system knows where the vehicle is parked. One of ordinary skill in the art at the time the invention was made would have found it obvious to identify the parking ticket machine you are parked at, which will identify a space you are parked at or the zone where you are parked. Because Fulcher discloses the receiving of parking space identification data, one of ordinary skill in the art would have found it obvious to use other parking space identification data, such as identification of the parking ticket machine you are parked at.

For claims 25,27, Fulcher discloses an automated parking fee collection and parking ticket dispensing system. Fulcher discloses a parking machine 2 that is in communication with a parking server (offsite computer 512). It is disclosed that information in the form of data and program files is communicated between the server and the ticket machine. See column 19, lines 16-19, lines 51-54; column 23, lines 1-12, lines 23-30. See column 19, lines 20-29 for the disclosure of having the customer input information concerning the parking location (spot number), and the amount of parking time that the space will be used. The parking machine is disclosed as calculating the parking fee and providing tickets (a control list) to the motorist, where the tickets are

then supposed to be placed inside the vehicle so that it can be visually inspected (see column 17, line 65 to column 18, line 1; 18, lines 34-37; column 19, lines 28-33).

Not disclosed is the use of a mobile phone as claimed. Not disclosed is that the server obtains a vehicle registration number associated with a subscriber number as claimed. Also not disclosed is that the control list (parking ticket) has the information concerning the period of parking and the vehicle registration number. Also not disclosed is that the identification of the parking machine is entered by the motorist.

Ilen discloses a method and system where a user can pay for parking fees by using their mobile phone. The mobile phone is used to send data to a central computer (parking server) so that the parking fee can be paid for. The user is disclosed as using the phone to submit information such as parking location and parking time (see page 3). Ilen discloses that the user can supply in advance, their vehicle registration number (vehicle ID), and system will recognize the vehicle based on a code, which is encoded into the SIM card (the subscriber identification module) of their phone. This teaches that the vehicle information (registration number) is determined at the server based on the number found in the SIM card (a subscriber number). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the system of Fulcher with the ability to take parking data and payment data by phone as disclosed by Ilen, so that the user has a convenient and easy way to pay for parking. This would then result in data being sent by phone to the server 512, and then to the parking machine 2 so that a parking ticket can be printed for the motorist to place inside their vehicle. It also would have been obvious to one of ordinary skill in the art at the

time the invention was made to have the server determine a vehicle registration number as claimed so that the motorist is easily identified by the server based on their subscriber number (SIM card). This feature is disclosed by Illen.

With respect to the motorist entering the identification of the parking ticket machine, the examiner notes that Fulcher discloses that the motorist identifies the vehicle space they are parking in. Fulcher recognizes the importance of having the motorist provide some kind of identifying data that indicates where their vehicle is parked. In view of this teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist identify the parking ticket machine they are parked at, which at the same time may also identify the parking space, so that the parking management system knows where the vehicle is parked. One of ordinary skill in the art at the time the invention was made would have found it obvious to identify the parking ticket machine you are parked at, which will identify a space you are parked at or the zone where you are parked. Because Fulcher discloses the receiving of parking space identification data, one of ordinary skill in the art would have found it obvious to use other parking space identification data, such as identification of the parking ticket machine you are parked at.

With respect to the parking tickets having the desired period of parking and the vehicle registration number, in view of the fact that a parking ticket is disclosed as being given to the motorist to be placed in their vehicle, and knowing that parking tickets normally contain information concerning a transaction (cost, date, identification of item/service purchased, etc.), it would have been obvious to one of ordinary skill in the

art at the invention was made to provide the receipts with desired period of parking and the vehicle registration number, so that the user has an accurate parking ticket to place in their vehicle that would identify both the vehicle and the amount of time they are to be parked. One of ordinary skill in the art would have found it obvious to put this information on the parking tickets.

For claim 27, in addition to that above, not specifically disclosed is that the period for parking includes the parking start time and ending time. Illen discloses that the motorist enters the start time for parking, see page 3, lines 25-30. One of ordinary skill in the art would recognize that the period of parking can be obtained by entering the total time that the motorist would like to park, or can be done by entering the start and ending time. These are options that one of ordinary skill in the art would find as obvious. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist enter the start time for parking and the end time for parking as claimed, so that the amount of actual parking time can be calculated. This is just claiming another way to determine the amount of parking time and is something that one of ordinary skill in the art would find as obvious.

For claims 29,31, Fulcher discloses an automated parking fee collection and parking ticket dispensing system. Fulcher discloses a parking machine 2 that is in communication with a parking server (offsite computer 512). It is disclosed that information in the form of data and program files is communicated between the server and the ticket machine. See column 19, lines 16-19, lines 51-54; column 23, lines 1-12, lines 23-30. See column 19, lines 20-29 for the disclosure of having the customer input

information concerning the parking location (spot number), and the amount of parking time that the space will be used. The parking machine is disclosed as calculating the parking fee and providing tickets (a control list) to the customers, which are then supposed to be placed inside their vehicle so that it can be visually inspected (see column 17, line 65 to column 18, line 1; 18, lines 34-37; column 19, lines 28-33).

Not disclosed is the use of a mobile phone as claimed. Also not disclosed is that the parking tickets have information concerning the parking time and the registration number. Also not disclosed is that the registration number is received by the server from the mobile phone. Also not disclosed is that the identification of the parking machine is entered by the motorist.

Ilen discloses a method and system where a user can pay for parking fees by using their mobile phone. The mobile phone is used to send data to a central computer (parking server) so that the parking fee can be paid for. The user is disclosed as using the phone to submit information such as parking location and parking time (see page 3). Illen also discloses that the motorist enters their vehicle registration number and staring time for parking, which is sent to the server, see page 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the system of Fulcher with the ability to take parking data and payment data by phone as disclosed by Ilen, so that the user has a convenient and easy way to pay for parking. This would then result in data being sent by mobile phone to the server 512, and then to the parking machine 2 so that a parking ticket can be printed for the motorist to place inside their vehicle. It also would have been obvious to one of ordinary skill in the art at the

time the invention was made to have the motorist enter their vehicle registration number for purposes of vehicle identification as is disclosed by Illen.

With respect to the parking tickets having the desired period of parking and the vehicle registration number, in view of the fact that a parking ticket is disclosed as being given to the motorist to be placed in their vehicle, and knowing that parking tickets normally contain information concerning a transaction (cost, date, identification of item/service purchased, etc.), it would have been obvious to one of ordinary skill in the art at the invention was made to provide the receipts with desired period of parking and the vehicle registration number, so that the user has an accurate parking ticket to place in their vehicle that would identify both the vehicle and the amount of time they are to be parked. One of ordinary skill in the art would have found it obvious to put this information on the parking tickets.

With respect to the motorist entering the identification of the parking ticket machine, the examiner notes that Fulcher discloses that the motorist identifies the vehicle space they are parking in. Fulcher recognizes the importance of having the motorist provide some kind of identifying data that indicates where their vehicle is parked. In view of this teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist identify the parking ticket machine they are parked at, which at the same time may also identify the parking space, so that the parking management system knows where the vehicle is parked. One of ordinary skill in the art at the time the invention was made would have found it obvious to identify the parking ticket machine you are parked at, which will identify a

space you are parked at or the zone where you are parked. Because Fulcher discloses the receiving of parking space identification data, one of ordinary skill in the art would have found it obvious to use other parking space identification data, such as identification of the parking ticket machine you are parked at.

With respect to claim 31, in addition to that above, not specifically disclosed is that the period for parking includes the parking start time and ending time. Illen discloses that the motorist enters the start time for parking, see page 3, lines 25-30. One of ordinary skill in the art would recognize that the period of parking can be obtained by entering the total time that the motorist would like to park, or can be done by entering the start and ending time. These are options that one of ordinary skill in the art would find as obvious. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist enter the start time for parking and the end time for parking as claimed, so that the amount of actual parking time can be calculated. This is just claiming another way to determine the amount of parking time and is something that one of ordinary skill in the art would find as obvious.

For claims 23,26,28,30,32, not disclosed is that a payment by telephone option is selected on the parking ticket machine that puts the ticket machine in a stand-by mode where the machine waits for parking data to be received from the server. Fulcher discloses in column 16 that the motorist is presented with various payment options to pay for parking. It is disclosed that the motorist selects the appropriate payment button on the ticket machine. The various payment options have a button that is to be selected on the ticket machine. Not disclosed is that a payment by telephone option is selected

as claimed. In view of the fact that the prior art of Fulcher has been modified to accept parking data and payment by telephone, and in view of the fact that Fulcher discloses that the various payment options are displayed to the motorist for their selection, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the ticket machine with a payment by telephone option as is claimed. This would inform the parking machine that the parking information and payment is being handled by phone. It then follows that the ticket machine will receive data from the server that indicates the parking time, vehicle identification information, etc. so that a ticket can be printed for the motorist to be placed in their vehicle. The claimed "authorization control elements" that are supplied by the ticket machine is considered to be data that is on the parking ticket that is issued to the motorist. The machine supplies the parking ticket with authorization control elements (i.e. transaction data).

3. Applicant's arguments filed 12/3/07 have been fully considered but they are not persuasive.

With respect to the argument that the rejection is not proper because the examiner did not state an indication of the level of ordinary skill in the art and/or did not identify who one of ordinary skill in the art is, it is not persuasive. The level of ordinary skill in the art is naturally assessed by the examiner in articulating an obviousness rejection by taking into account the technology involved that is being claimed. As far as who one of ordinary skill in the art is, it is one of ordinary skill in the art (not necessarily a definite and defined level of skill in a specific sense) and cannot be defined with

absolute certainty. The examiner cannot state for sure that one of ordinary skill in the art is a person with X degree from Y college and with Z experience at company G with an IQ of S. That is just about impossible to do because one of ordinary skill in the art is one of ordinary skill. The person of ordinary skill in the art is one of ordinary skill.

With respect to the argument concerning the entering of the parking ticket machine identification, it is not persuasive. The reasoning that applicant has provided for why they are requiring the entering of the machine identification is noted, but for the obviousness rejection to be proper the examiner does not have to have the same reasoning. Any reason for doing what is claimed that is considered obvious is acceptable to make a proper rejection. Also, with respect to identifying a machine as opposed to a parking space (that is disclosed by the prior art), this is still just the entering of an identification. The person may enter 99 for the identification data, and the fact that this may represent a space versus a machine does not change the fact that an ID is being entered. While the examine has addressed this in the rejection of record, the examiner is not totally sure that what the ID represents should even be given patentable weight as this may be language directed to non-functional descriptive material. At the end of the day an ID is entered, just like the prior art. The examiner has stated in the rejection why this limitation is considered to be obvious. The examiner stated "*Fulcher recognizes the importance of having the motorist provide some kind of identifying data that indicates where their vehicle is parked. In view of this teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the motorist identify the parking ticket machine they are parked at, which*

at the same time may also identify the parking space, so that the parking management system knows where the vehicle is parked. One of ordinary skill in the art at the time the invention was made would have found it obvious to identify the parking ticket machine you are parked at, which will identify a space you are parked at or the zone where you are parked." If there is one ticket machine for each space, then identifying the space will also inherently identify the ticket machine. Also, when there is one ticket machine for multiple spots (like zone parking), the identification of a zone will identify the ticket machine for the location you are parked at. So entering a zone such as zone B, will identify the parking machine that is for the zone where the user has parked their vehicle. The applicant has argued their reasoning as to why they have the machine identification entered; however, the examiner does not have to have the same reasoning for the rejection to be proper. Entering the parking machine ID as opposed to the parking space ID is not much of a difference and would have been obvious to one of ordinary skill in the art. The argument is not persuasive.

Additionally, Fulcher also discloses that parking tickets are printed for a motorist so they can be placed inside the parked vehicle, so if one is using a phone to pay for parking by contacting the server, and one has to obtain the parking ticket to place inside the vehicle, the location identification of where the vehicle is parked will also allow for the correct ticket machine to be instructed to print the ticket for the motorist instead of a ticket machine on the other side of town. Why would the same reason that applicant has argued not be also found in the prior art anyway? If ones contacts the server by using a phone to process a parking transaction, the correct ticket machine must be told

to print the ticket by the server and this would be commensurate with Fulcher addressing the need for location identification being entered. In the 103 rejection as set forth, how else would the ticket machine be told to print the ticket if it were not instructed to do so by the server (which would require identification information to be entered)? The argument is not persuasive for this reason as well as what was previously stated.

No other arguments were made so the rest of the prior art rejections are deemed to be proper absent a specific traversal.

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Ruhl whose telephone number is 571-272-6808. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Ruhl/
Primary Examiner, Art Unit 3689